Scott II-48—34,846—20-1-22.

Revenue (1923) Department.

Mis SERIES.

G.O. No. 1518

DATED 6 - 1 - 1923.

[Despatch Abstract.]

Fisheries - South Kanara district - Karkal taluk - [illegible] -

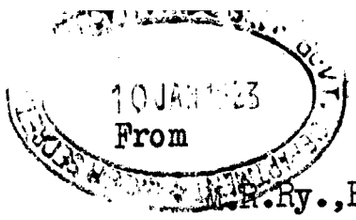
Transfer to Karkal statutory panchayat - Sanction [illegible].

00649

Office of the Registrar-General of Panchayats,

Fort St. George, 9th January 1923.

No. 95-1



From

M.R.Ry.,Rai Bahadur,

N. Gopalaswami Ayyangar avl.,B.A.,B.L.,M.L.C.,

Registrar-General of Panchayats, Madras.

To

The Secretary to Government,

L.S.G. Department.

Sir,

I have the honour to forward herewith copies of letters from the President, Taluk Board, Karkal on the subject of the transfer of the Anekere fishery to the panchayat constituted under Act XV of 1920 for the Karkal village. The proposal is not a new one. In 1917 the Mr. Vibert, the then Collector of South Kanara, in sending up his proposals for the constitution of an informal panchayat for this village observed that this fishery was eminently a case for panchayat administration and requested the sanction of Government for leasing the tank to the panchayat for a term of years--the lease being renewable--subject to a fixed annual rent payable by the panchayat. This arrangement did not propose to make over the tank unconditionally to the panchayat, but only substituted a permanent lessee for an annual one. The Government however in their order No. 1695 L dated 10th November 1917 refused sanction this arrangement.

2. The fishery is said to yield an annual income of only Rs 100. The President, Taluk Board, Karkal, requests that the panchayat which has been established under Madras Act XV of 1920 in Karkal village may, under section 16 of the Act be given control over the fishery and permitted to lease the fishery and appropriate the income. I learn however that the fishery is now in charge of the Revenue Department and that the Taluk Board has no right over Section 16 of the Act will therefore not apply.

3. For the reasons stated in the last subpara of para 4 of Mr. Vibert's letter dated 11-8-1917 read in G.O. No. 1695 L date

10-11-1917, I would recommend the transfer of the fishery to the new statutory panchayat. The transfer may be made by the Government under section 20 of the Madras Village Panchayat Act subject to such conditions as they may choose to impose.

4. If village panchayats are to become popular, it is very necessary that the Government should give substantial proof of the fact that the Government trust them in matters of local concern and treat them as important units in local government. It is for this reason that I recommend that the fishery should be transferred to the panchayat without any rent being reserved but subject only to the condition that, if the fishery is not administered in the public interest, or if such a course is necessary in the interest of any pisciculturâl operations which might be undertaken in this tank in future, the Government should be at liberty to resume the fishery at any time.

5. If, however, the Government are not prepared to accept the above recommendation, I would suggest that at least the arrangement proposed by Mr. Vibert be approved and the fishery leased to the panchayat for a fixed annual rent.

K. Gopalaswami
Registrar-General.

Enclosures

Letter Ref.No.852 of 22 dated 4-12-1922 from the President, Tk. Board, Karkal.

In continuation of this office Dis. No. 478/D/22 forwarding a copy of taluk board resolution No. 459/21-10-1922 regarding certain delegations by the Taluk Board to the village panchayat Karkal, I have to inform you that the panchayat in their resolution No. 5 dated 2-11-1922 agreed to exercise the functions and take over the control of the several institutions mentioned in the taluk board resolution. The delegation includes among others the assessment and collection of profession tax and the control of Anekere fishery The fishery is till now being farmed out by the Revenue Department. In G.O. No. 1695 L dated 10-11-1917 the Government declined to sanction the Collector's proposal to lease the fishery to the informal panchayat. Now that the informal panchayat, Karkal has ceased to exist and a statutory panchayat has been constituted instead and section 16 of the Madras Village Panchayat Act provides for the control of fisheries by the statutory panchayats I request your advice if the Anekere fishery situated with the statutory panchayat limits is not to be farmed out and controlled by the statutory panchayat. The income from this fishery is only Rs 100 a year. I request early orders on the subject so that it might be decided as to who should sell the right of fishing for 1923-24 whether the Revenue Department or the panchayat. I request also that the Government be addressed if you think necessary. The revenue department only sells the right of fishing annually and does nothing more. The fishery is capable of development if properly controlled and the present destructive methods of fishing are changed.

II

Letter from the same officer dated 1-1-1923.

Under G.O. No. 1695 L dated 10-1-1917 sanctioning the

constitution of the Informal Panchayat of Karkal, the Anekere fishery is a Government property which is being leased out by the Revenue Department, the proceeds of the lease being credited to Government. Now that the Informal Panchayat has ceased to exist and a statutory panchayat has been constituted for the Karkal Revenue village--within the limits of which the fishery lies--and section 10 of the Madras Village Panchayat Act provides for the control of fisheries by statutory panchayats I request to be informed as to why under the Act the fishery should not be controlled by the statutory panchayat. The fishery was all along under Government control only.

(True copies)

Deptt. 11-8 (f)—4,204—2-2-22.

	Initials.	Date.
Received in Fair-copying Section		
Copied ..		
Examined ..		14/3
Signed ..		
Despatched ..		

Development Deptt.

From the Registrar General of Panchayats, No.95-1 dated 9-1-23.

Endorsement No.4347/23-1 dated 14.3.23

Communicated to the Collector of South Kanara.

2. The President, Taluk Board, Karkal states in his letter dated 1-1-23 that the Anakere fishery is ~~xxx~~a Govt. property and is being leased out by the Rev. deptt., the proceeds of the lease being credited to Govt. The Collector is requested to report whether this statement is correct. The Govt. are doubtful, in view of the fact that the fisheries of all non-irrigation tanks were vested in the Local Boards long ago. ~~Possibly this particular tank may have been specifically reserved as Government's property by a special order.~~

The Collector is also requested to report whether the fishery rental ~~is being actually~~ credited to Government, as stated above ~~or~~ ~~xx~~ is being eventually transferred to the credit of the District Board.

14.3.23

p 3-4 c.f.

DP (ii)

DESPATCHED
15 MAR 1923

To the Collector of S.Kanara

Reminded 19.4.23

13044

19-5-23

C.F. 29--24,264—4-4-21.

DEVELOPMENT **DEPARTMENT.**

Received ..... 192 *Registered* 192

Subject.

Reference:- Endorsement No.434 II/23-1 dated 14th March 1923 - Fisheries - South Kanara District - Karkal Taluk - Anekere Tank.

ENCLOSURES

No. .....

.....

Spare copies .....

Ref.C. No. 7703-22-V7.

Station Mangalore, *Dated the* 14th May 1923.

From (Name) G. W. Wells, Esq., M.A., I.C.S.,

(Designation) Collector of South Kanara.

To The Secretary to the Government of Madras,

Development Department.

Madras.

Sir,

The statement of the President, Taluk Board, Karkal that the Anekere fishery is Government property and is being leased out by auction by the Revenue ---- Department and that the sale proceeds of the lease are credited to Government is correct. As the fishery of the tank in question is one of an irrigation tank ---- which is not vested in the Local Board, the fishery -- rentals are not eventually transferred to the credit - of the District Board. The tank was shewn as an ----

irrigation tank in the Revenue Accounts so far back as Fasli 1264 (1854).

15-5-

For Collector.

15.5.23

M.D'S.15/5.

Subject.—

R. F. XXII-A-19—21,580—12-16.

FOR MEMBER

Fisheries

N
A-S. (Sett)

READ AGAIN B.P., No. _____ dated _____ 191

191

READ ALSO :—

F Register No. 1197/23 From the _____, No. _____, dated _____ 191 B

12.10 P.M. _____ " " _____, " _____, " _____ 191 .
K.R. 26.6.23

_____ " " _____, " _____, " _____ 191 .

Ref. Cle

RESOLUTION. No. F 1197/23-1 dated 26-6- 1923

Remind on 14-7-23

Note: SVA 26-6-23

The draft. reply is put with reply from Rev. Secy's note below.

NS 25/6/23

Fisheries - S. Kanara Dt - Kaikal village - Anekere tank - Transfer to Kaikal Panchayat - ~~Dft Rd. Correspondence with~~ - Coll's letter Ref. C. No. 7703-22-V7 dated 14-5- to Govt. Development Dept.

The Collector is requested to submit a further report on the following points at an early date :—

1) The Kaikal Anekere tank

2) Whether the Kaikal Panchayat contains a tank of permanent or

supply or dries up in the
hot weather

(3) how the transfer of the
~~Co~~ firm(s) by the control
of the ~~Th~~ ~~Bd~~ X(Panchayat) will affect
the interests of the agitators and

(4) whether ~~the~~ ~~transferred~~ (Transfer)
is open to objection and
~~obtain~~ if so on what grounds.

26/6/23

NA
25.6.23

SVA
26-6-23

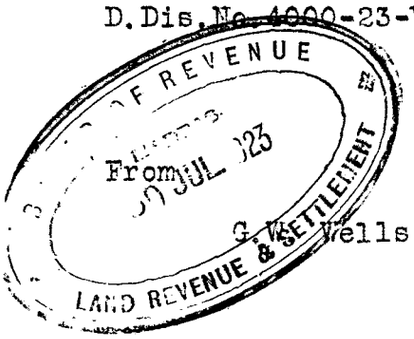
To

The Collr & S. Kanara.

Dempd
28/6/23

F. 1521

D.Dis.No.4000-23-V.7. South Kanara Collector's Office,
Mangalore, 26th July 1923.



G. Wells, Esquire, M.A., I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue and Settlement,
M a d r a s.

Sir,

Board's Reference No.F 1197, dated 26th June 1923 - Tank Fisheries - South Kanara District - Karkal Taluk - Anekere Tank Transfer to Karkal Statutory Panchayat - Report submitted.

****

The information called for on the four points is given below:-

Point 1.- The tank in question consists of two subdivisions S.Nos.72/2A & 65/2 of Karkal Casba. S.No.72/2A is locally known as Anekere and 65/2 as Sikdakere though both the tanks formone tank separated only by a small road S.No.65/1. The total ayakat is 53.70 acres.

Point 2.- The Sikdakere tank usually dries up during the hot weather, while the Anekere tank does not, though it once dried up about 15 years ago.

Point 3.- The transfer of the fishery to the control of the Panchayat will not affect the interest of the ayakatdars if the Panchayat does not interfere with the rights of the ayakatdars to use the water of the tank for irrigation and other purposes as hitherto.

Point 4.- The Land Revenue Department is getting an annual income of about Rs.100/- by the sale of the right of catching fish in the tank. If the tank is transferred to the Panchayat, this item of revenue will go to the Local Funds. Besides, the question of taking over the tank by the Fisheries

Department for Piscicultural purposes is under the consideration of the Director of Fisheries - please see the enclosed copy of my letter R.O.C.7703-22-V.7, dated 14th May 1923.

Your obedient servant,

Collector.
28.7.23

28-7-23

Copy of letter Ref.C.No.7703-22-V.7. dated 14th May -- 1923, from G.W. Wells, Esquire, M.A., I.C.S., Collector of -- South Kanara, to the Director of Fisheries, Madras.

Reference:- Your letter No.1944-I/22-1 dated 18.12.1922.

Tank Fisheries - South Kanara District - Karkal Taluk - Anekere and Ramasamudram Tanks - Acquisition.

****

The Ramasamudram and Anekere tanks, including the Lotus and Shigdikere tanks, not being private property and being -- useful for irrigation do not vest in the Taluk Board in view of G.O.677, Revenue, dated 8th April 1922, in B.P.No.39 L.R., dated 3rd May 1922 and B.P.No.415 Routine, dated 29th January 1923, as the tanks were shown in the Revenue accounts as ---- irrigation tanks so far back as Fasli 1264. From the enquiries made it appears that the temple authorities of Sri Venkatramana Dev and Sri Anantha Padmanabha Dev of Karkal exercise some -- mamool rights over the Ramasamudram tank in connection with - certain Temple ceremonies. Subject to these rights and subject to the rights of the public to the use of the water of - the tanks for irrigation and other purposes, there seems to be no objection to their being delivered to the Fisheries Department for piscicultural purposes.

2. Anekere tank is S.No.72/2A measuring 24.69 acres and the Shigdikere tank is S.No.65/2 measuring 5.99 acres. Both

of them form one tank separated only by a small public road S.No. 65/1. The Lotus tank referred to above lies in S.No.403 and -- forms as it were the continuation of the Ramasamudram tank. It was included in the area called the Ramasamudram Kadu handed over to the Karkal Forest Panchayat which has now proposed to transfer it to the Statutory Village Panchayat, Karkal. In forwarding - the Karkal Taluk Board's President's letter in the above matter to the Registrar General of Panchayats, the exclusion of the --- Lotus tank from the area to be made over to the Statutory ------ Panchayat has been proposed by me.

3. I invite attention to the last paragraph of this --- office letter R.O.C.7703-22-V.7, dated 19th December 1922, referre to in your reply D.Dis.No.11-I/23, dated 23rd January 1923, and request tobe informed whether the present practice of selling -- the right of fishing in the Anekere Tank by public auction by the Revenue Department should continue till the final disposal of -- your proposal to take over the fisheries thereof by your Department for piscicultural purposes.

4. While in Karkal I was informed by the Tahsildar that there are small crocodiles in the Ramasamudram tank.

H.S.R./27.7.23. Compd 27.7.23

WS

CN. 649. L. S. G

Subject:

Transfer of the Anakera fishery to the Karkal Panchayat

Attention is solicited to the remarks (G) of Mr. Vibert Pt. 1-2/G Cir. No. 1695 L, D. 10.11.17 and that of the Special Officer contained in paras 4 and 5 of the current letter the proposal may be supported in that dispatch and sent to Development for necessary action.

NR
8.2.23

L Jnr 9/2

Dev. U. O.

Pt. 15/2

W.O. No. 649-1 Stm
10.2.23.

Dev: 434 II
10/2/23

Development Deptt.

To A.S

Para 4 at Pp 1-2 of G.O. 1695 L (G) 10-11-17

In 1917 the Collector of South Kanara in sending up his proposals for the Constitution of an informal panchayat for the Karkal village observed that the fishery of the tank of Anekere was eminently a case for panchayat administration and requested that the sanction of Govt. for leasing the tank to the panchayat for a term of years - the lease being renewable - subject

20/12/

to a fixed annual rent payable by the panchayat. The Hony. Director of Fisheries whose remarks were invited on the proposal was opposed to the proposal and stated that nothing should be done in the matter till the Pisci-Cultural Asst had investigated the whole scheme in Consultation with the Collector. Mr Graham, the L & M Secy was also opposed to the proposal on the ground that if the tank was handed over to the panchayat the Jains would lease the fisheries from the panchayat and prevent, as far as they were able, the use of fish altogether, to the detriment of the public. The proposal was therefore negatived in GOMS 1695 L dt 10-11-17

pp 2-3 g rdg to Go 1695 L 10-11-17 (G)

p 3 g rdg to Go 1695 L 10-11-17 (G)

14 g (G)

Now the Registrar General Panchayats ~~recommends~~ requests/ at the instance of the Taluk Board Karkala that the orders in the above G be reconsidered and that the fisheries be transferred to the panchayat without any rent being reserved but subject to the Condition that the Govt could resume the fisheries if they were not administered in the public interest or if they were found to be necessary later on for Carrying on pisicultural

pp 1-2 C.F

operations in the alternative he recommends that the original proposal to lease the fisheries to the panchayat for a fixed annual rent be approved.

2 The President Taluk Board, Karkala states that the Anekere fishery is a Govt. property which is being leased out by the Rev deptt, the proceeds of the lease amounting on an average to Rs 100 per annum being Credited to Govt. This statement does not appear to be Correct. The fisheries in all non-irrigation tanks vest in the Local Boards; and though the Rev. deptt sells the fisheries in some Cases the Sale proceeds go eventually go to the Local Boards. Thus it would appear that the Anekere fishery already vests in the District Board. To be sure on the point the Collector of S. Kanara may be Consulted. If the tank vests in the District Board, the Taluk Board is Competent to transfer the fishery to the Village panchayat under Section 16 of the Village Panchayat Act.

3 This deptt is Concerned with the question whether the tank is likely to be required in the immediate future

4/ 15/

by the Fisheries dept^t If it is required we can Co acquire it from the Control of the District Board on payment of Compensation based on the last 5 years rentals. If the tank will not be required we need not acquire it and may leave the question of transfer Reside in the Collector for disposal by Govt in Consultation with the Collector. Submitted the remarks of the DT may be invited w.o.

AMM 5/3/23 Vide A at p 3 n/f.

S/ CU 6.3.23

To A.S

Please see draft below

AMM 12/3/23

CU 14.3.23

5/

To the Collector of South Kanara,

pp 5-7 C.F. Endt. No 434 II/23.1 dj 14.3.23

From the Collector of South Kanara,

Ref. C No 7703 dj 14.5.23.

To A.S

Please see the notes at pp 1-4 ante and the Collector's letter at pp 6-7 C.F. The Collector Confirms the Statement of the President, Taluk Board, Karkal that the fishery of Anekere irrigation tank is Govt. property (Revenue deptt) and do not vest in the Local Board.

The question of transferring or leasing out to the Panchayat the fisheries of the tank is therefore one for Consideration in Revenue deptt. Before transferring the file to Rev. we may ask the D.F.O whether the tank is likely to be required by the Fisheries deptt ~~If so we must ask Revenue~~ if so we may not to transfer or lease out the fisheries to the Panchayat.

AMM
22/5/23

S/ CA
23.5.23

Actually did not the tank is required fisheries dept. he to say about D.F.

cio 1304 II/23.1
25.5.23

25.5.23

bhv

17/6

It has long been the intention of the Fisheries Dept. to take up as a connected whole the investigation of the inland waters of S. Canara from the piscicultural standpoint. for one reason or another this has not been possible to date; in view of the financial stringency the present does not appear a suitable time to deal with it. I have no doubt however that at some future date this will become possible as well as desirable & when this does happen; it will be essential to the success of any scheme put forward that this Anakere tank should figure as a fish-farm. Whence fry may be distributed to stock other waters. It is the only suitable & available water for this purpose that I know of in S. Canara, hence it would be extremely inadvisable to alienate any of its rights whatsoever.

As however Fisheries has no immediate use for it, I see no objection to its transfer to the Panchayat subject to the condition that Govt. be at liberty to resume the fishery rights at any time for the purpose of any piscicultural operations in South Canara that may be sanctioned in the future.

J.H. 4-6-23

To Dev. Dept. U.O.

SECRETARIAT DEPARTMENT + UNDER SECRETARY
23 MAY 3
SECRETARY TO GOVT.
DEVELOPMENT DEPT.
3 JUN

A

8/6/23

Dev. 1428
8-6-23

1

Development 88

The file may now be passed on to the Revenue Dept for disposal. The transfer of the tank if to the Panchayat if sanctioned should be subject to the conditions stated by the D.F. at A in page 6 n.f.

S/ CH. 8.6.23 Rev

Rev 1142B

SECRETARIAT 16/23 REVENUE DEPT

D.W. No 4341/23-4
13.6.23

Rev: Dept

To U.S.

This file relates to the transfer of the fishery in Anaicut tank situated within the limits of Karkal village to the local village panchayat constituted under Madras Act XV of 1920. The tank is an irrigation tank and the fishery receipts are now credited to Govt - vide Collr's letter on p. 6 C.F. The Registrar Genl of Panchayats in recommending the transfer of the tank, fishery to the Panchayat, suggests,

p4 C.F

(1) that the fishery may be transferred without any rent being reserved, subject however to

the condition that the Govt may resume it for any piscicultural operations that may be undertaken in future; or on the alternative

(2) that it may be leased to the panchayat for a fixed annual

para 9 p. 24F

2. A similar proposal was made by the Collector of South Kanara in 1917 and reference is invited to para. 4 of his letter on bb 1-2 of G.O. No 1695 L dt 10-11-17 and paras 3 & 4 of Sir J. Nicholson's note on bb 2-3 of notes to the G.O. It is submitted that there seems to be no reason why Govt should forego their revenue in order to aid the Panchayat. It is for consideration whether the fishery may be leased to the panchayat for a term of years on a rent based on the average receipts for the last two years. Any such arrangement should reserve to Govt the right to resume the fishery at any time for piscicultural operations — vide portion marked A — B ante

Submitted for orders.

19/19-6-23.

9/

The tank being an irrigation tank & so not vested in the local board, the Registrar General recommends the transfer of the fishery to the Panchayet under Sec. 20 of Act XV. of 1920,

R. 3. c. f

The Pres.t Taluk Board says "The fishery is capable of development if properly controlled & the destructive methods of fishing changed"

p. 2 note (G)

But as Sir Frederick Nicholson said the panchayet may not be able to conserve and improve the fishery on proper lines - it looks as if the tank is not one with permanent water,

The main object of the proposal must therefore be the augmentation of the Panchayet funds.

If Govt. would consider helping in this manner, a lease to the panchayet, - say for five years to start with, reserving the right to resume when public interests require might be considered, on an annual rent to be proposed by the Collector.

The tank being an irrigation source subletting should be prohibited. The tank should not be emptied when the water may be required for irrigation.

There are villages where the right-

10/2/21

To fish in the village tanks is held by the villagers in Common: the fishery rent being paid on Aam ... basis

If this proposal is sanctioned in favour of the Panchayat the Revenue General is sure to send up similar proposals for other Panchayats

The Board of Revenue may be consulted

AVM.
20.6.23

From the note of the Dy. Collector it is observed that there is practically no objection to the proposal of the Y. P. Panchayat provided the limitation desired are the condition that Govt. may at any time resume the fishery right so the only question is whether there is any objection to the provisional point the point of view of irrigation interest. My experience in the East Coast is that wherever fishery rights are leased the lessee invariably tries to empty the tanks so that he may catch fish by netting. If in the present case the panchayat takes to leasing the fishery without previous proper sanction the interests of irrigation

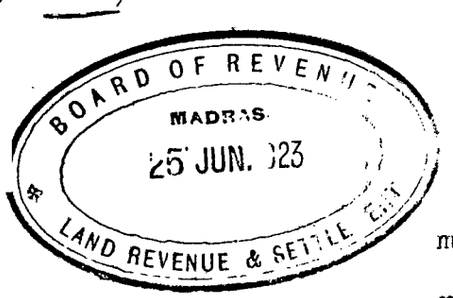
11

might suppose. We have no information what the ayacut of the tank is, whether the supply is permanent or whether the tank dries up in the hot weather. We should know more about the tank and also how the proposal is likely to affect the interests of irrigation before we can agree to the transfer of the fishery rights to the Panchayat. ~~Please write to us~~ It is necessary to have the Board's remarks on the above points and also on the proposal generally.

Rev No. 1142 B/23-1
23.6.23

21.6.23
Board of Rev (LR OS) to

7 1197



Board's U.O. No. F 1197 dated 11th August 23.

The Board considers that all thatGovernment need do in the case is to protect irrigation rights and reserve the power of re-entry. The panchayat may be allowed to take up the fishery on an annual lease on payrentof a fixed rent, subject to thefollowing conditions:-

(1) The Collector should be empowered to cancel the lease at any time without compensation.

(2) No water should be let out to suit fishin and no impediment should be caused to irrigation.

(3) No compensation should be claimedfor loss of fishing if the tank receives untimely

or

12 23

or deficient supply.

K. S. Abdoorrahman
Assistant Secretary.

B

To the Secretary to Government, Revenue Deptt. U.O.

REVENUE B
608
Rect 14.8.23

Rev Dept

To U.S.

This Dept may agree to the leasing of the fishery in the Ambikeri tank, to the Karkal village panchayat on the terms proposed by the Board b 11-12 above

~~which embody the suggestions of the U.S. as per opp to 11 above~~

Leey approves
Clear draft V. embodying

conditions moved by the Board

and the condition at A. 6 N)

16
9.8.23

RJ
15.8.23

Walk
16.8.23

To U.S.:

The Board agrees to leasing the fishery on a fixed annual rent, but has not specified the amount of rent nor has it indicated the basis on which it should be fixed. In 1917, Dy Collector reports that the fishery ~~rent~~ in 1916 was Rs 150/-. and the President, Karkal

para 4 p 29 G.O. No 952 (C) dt 11.11.17

p. 3 CF

(4) 1, 9 C.F.

and the Collector,

Taluk Board reports that the income from this fishery is Rs 100/- a year. Unless the Govt intend giving some concession to the panchayat, the annual rent may be fixed at the average rent-receipts for the last five years.

2 As A and B above, the Dir. of Fisheries urges that the Govt should reserve the right to resume the fishery at any time for the purpose of any pisciculture operations. But condition (1) suggested by the Board reserves a general right of cancelling the lease and of re-entry. It therefore appears unnecessary to insert any new condition in the draft with refce to the remarks of the Dir of Fisheries.

3. Subject to the approval of the points noted above, a draft order is submitted. It may be sent to A.S.G., Devt and Finance for acceptance.

KG
26.8.23.

Draft for approval. D.o proposes to leave it to the Board to fix the rent

WCH
29.8.23

KG
30.8.23

S

H/F 25

Draft. Ur. has been approved by Secy
Home Department dt. 4.9.23, does not
call for any comments.

Ms
4.9.23
D.S.G.
Secy
Home Dept.

DB

Revenue 1423/23-2
4.9.23

D.S.G.

GOVERNMENT OF ASSAM SECRETARIAT
- 4 SEP 1923
107

The main object of the proposed transfer of the fisheries is to augment the financial resources of the Kamrup Panchayat. The Board of Revenue is willing to ~~transfer~~ lease the fisheries on a fixed annual rent but the rents have not been specified. In the absence of the information it is not possible to express our opinion for the proposal with due regard to the Kamrup Panchayat.

2. Condition (2) contained in the draft is very rigid. Compensation need not be paid when the Panchayat has infringed any of the ~~conditions~~ conditions of the lease, but when the Panchayat acts according to the terms of the lease it seems just to pay some compensation

when the fishery is resumed. For orders.

NSR
7.9.23.

Condition (2) does not seem to be reasonable. The Panchayat will accuse that Condition have to pay the rent to Govt., even if the lease is cancelled in the middle of a year, & will in its turn be liable to pay damages to a/c but lessee, if it leases the fishery to another. A reasonable compensation to be assessed & paid will have to be paid to the Panchayat, if the lease is cancelled for no fault on its part. The other Conditions may be accepted

Dka
13 9 23

If the rent is reasonable
Leey D.S.9. will accept all the conditions.

13.9.23.

DSV.

W.O. 21078-1 dtd
13.9.23

D2261 II
15.9.23

Dev Dept

A in the D.F's note at p6. n.f. is provided for in Cond(2) of the draft order. The draft may be accepted & the file passed on to Finance

S/Cle
17.9.23

-15-

In Lr. Sch. dt. 4/9/23 the Kerkeri Panchayat has made the above request. The Tahsildar of Karkal has also recommended the request.

I Section Asstt
Asstt
16/9

To Under Secy

The Attakere tank, the fishery of which is proposed to be leased out to the Panchayat is different from the Lotus tank Tavere Kere excluded from the area handed over to the Karkal village panchayat in G.O. 12 3-5. dt 29-8-23 — Please see para 2 of Collector of Kanara's letter at pp 10-11 C.F.

SA

N

9/9/23

2. That G.O. does not affect the draft order put up on the file

N

ASSISTANT SECRETARY TO GOVT
26 SEP 1923
REVENUE DEPARTMENT

SA
21.9.23

5/Clerk
21.9.23

Accepted
24/9/23

D. No. 12611/234
DR 24-9-23

Finance Dept.

The Board has been asked to report the rate of rent to be fixed. The draft order may be accepted, and the file returned to Revenue.

Draft 5814 BI
26/9/23
Vide paragraph

RR
28.9

UNDER SECY. TO GOVT
1 OCT 1923
REVENUE DEPT.

Accepted
27/9/23 Rev

Rev 1925 B
3-10-8[illegible] B.I.
3.X.23

17

Rev Dept.

To U.S.

With reference to the L.S.G. Secy's remarks at A on p 15 ante, the word "reasonable" has been inserted before the expression "fixed rent" in clause 1 of para. 1 of the draft. For orders whether the draft may issue as amended.

KG
5.10.23
WAK
4.10.23.

Drew KG
5.10.23

Central Donus
6/10/23.

Scott. II-1o (s)—48,962—2-2-22. (6)

Rev. DEPARTMENT

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..	8/10	
When signed ..		
When despatched ..		

READ AGAIN G.O. No. ....., dated 192

" " " " ....., " 192

READ ALSO;—

C. No. 11423, From the Registrar Genl of Panchayats 95-1, dated 9-1-1923.

" " " From the Ex. Asst to Coll of S. Kanara 434 II/23-1 dt 14-3-23

" " " From the " Regc 7703/22-V7 dt 14-5-1923

" " " " " ....., " ....., " 192

ORDER. Mis. No. 1518, dated 6-10- 1923.

The Govt sanction the proposal of the Registrar General of Panchayats to grant to the village panchayat, Karkal, the lease of the fishery of the Anekere tank which is situated within the statutory panchayat limits, on the following conditions:—

(1) That the lease shall be granted annually on a ~~fixed rent based on the~~ assessable

30

~~average receipts from the fishery during the last five years~~ to be determined by the Board of Rev

(2) that the Collector shall be at liberty to cancel the lease and re-enter at any time without compensation;

(3) that no water shall be let out to suit fishing and no impediment shall be caused to irrigation; and

(4) that the panchayat shall have no claim ~~for~~ to compensation for loss of fishing if the tank receives untimely or deficient ~~supply~~

2. The Board of Rev is requested to report what the rent which is proper to fix.

KO
26.8.23.

Lo

DESPATCHED
8 OCT 1923

The L. S. G. Dept
" Bd of Rev L R & S.
" Devt Dept
" Finance Dept.

Etc

Wdk
29-8-23

Rec
30-8-23

RL
1/9/23.